

**BEFORE THE IOWA BOARD OF PHARMACY**

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Re:	)	CASE NO. 2016-86
Pharmacist License of	)	
	)	
<b>TERESA LOWE</b>	)	<b>COMBINED STATEMENT OF</b>
License No. 18134	)	<b>CHARGES, SETTLEMENT</b>
Respondent.	)	<b>AGREEMENT, AND FINAL ORDER</b>
	)	

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**COME NOW** the Iowa Board of Pharmacy ("Board") and Teresa Lowe ("Respondent"), 817 SE Blue Bird, Blue Springs, Missouri 64014, and enter into this Combined Statement of Charges, Settlement Agreement, and Final Order ("Order") pursuant to Iowa Code sections 17A.10 and 272C.3(4) (2015), and 657 IAC 36.6. The Board has jurisdiction over Respondent and the subject matter of these cases pursuant to Iowa Code chapters 17A, 147, 155A, and 272C, and 657 IAC chapter 36.

**A. STATEMENT OF CHARGES**

**COUNT I**

**OUT-OF-STATE DISCIPLINE**

1. Respondent is charged with violating the pharmacy or drug laws or rules of another state while under the jurisdiction of that state, pursuant to Iowa Code sections 147.55(9) and 155A.12(8), and 657 IAC 36.1(4)"ad".

**B. FACTUAL CIRCUMSTANCES**

2. Respondent's holds Iowa license number 18134 to practice pharmacy. License number 18134 is currently active through June 30, 2017.

3. On May 2, 2016, the Missouri Board of Pharmacy approved a Settlement Agreement imposing discipline on Respondent's Missouri license to practice pharmacy. The discipline was a result of dispensing errors made by Respondent.

4. The Missouri Board of Pharmacy placed Respondent's Missouri license to practice pharmacy on probation for two years beginning on May 17, 2016. The Missouri probationary period includes several conditions, including a prohibition on serving as pharmacist in charge, a requirement to complete continuing education, a requirement to notify employers, and a requirement to establish a continuous quality assurance plan.

**C. SETTLEMENT AGREEMENT AND FINAL ORDER**

5. The Board has jurisdiction over the parties and the subject matter of these proceedings.

6. Respondent admits the allegations in the Statement of Charges and acknowledges that the allegations, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.

7. Execution of this Order constitutes the resolution of a contested case. Respondent has a right to hearing before the Board on the charges, but Respondent waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

8. Respondent acknowledges that she has the right to be represented by counsel on this matter.

9. Respondent agrees that the State's counsel may present this Order to the Board and may have *ex parte* communications with the Board while presenting it.

10. This Order is subject to approval by a majority of the full Board. If the Board does not approve this Order, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Order, it shall be the full and final resolution of this matter.

11. This Order shall be part of Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

12. This Order shall not be binding as to any new complaints received by the Board.

13. Respondent understands the Board is required by federal law to report any adverse action to the National Association of Boards of Pharmacy's Disciplinary Clearinghouse and the National Practitioner Data Bank.

14. This Order, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

15. The Board's approval of this Order shall constitute a **FINAL ORDER** of the Board.

**IT IS THEREFORE ORDERED:**


16. Respondent's license is hereby placed on **PROBATION** for the entirety of Respondent's probationary period in Missouri, which is expected to last until approximately May 17, 2018. Respondent shall comply with all terms of the Missouri settlement agreement. In addition, the following conditions shall apply:

- a. Respondent shall not serve as a pharmacist in charge or as a preceptor for pharmacist interns in Iowa.

- b. Respondent shall provide copies of this Order and the Missouri settlement agreement to any current or prospective employers in Iowa. Respondent shall notify current employers within 10 days of Board approval of this Order. Respondent shall notify prospective employers no later than at the time of an employment interview.
- c. Respondent shall report any violations of her Missouri probation to the Iowa Board of Pharmacy immediately.
- d. Any submissions or reports that Respondent is required to submit to the Missouri Board of Pharmacy under the Missouri settlement agreement shall simultaneously be submitted to the Iowa Board of Pharmacy.
- e. This Order is intended to mirror the Missouri settlement agreement. If any conditions are added or removed by the Missouri Board of Pharmacy, those changes shall be incorporated into this Order. If Respondent is granted early release from her Missouri probation, Respondent's Iowa license shall also be released from probation. Any changes to the Missouri probationary conditions or terms shall be promptly reported to the Iowa Board of Pharmacy.
- f. Respondent authorizes the release of all information and records related to compliance with the Missouri settlement agreement in possession of the Missouri Board of Pharmacy to the Iowa Board of Pharmacy upon request, in order to verify compliance with this Order.

17. Should Respondent violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 147, 155A, and 272C and 657 IAC 36.

This Combined Statement of Charges, Settlement Agreement, and Final Order is voluntarily submitted by Respondent to the Board for its consideration on the 1<sup>st</sup> day of November, 2016.

  
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TERESA LOWE  
Respondent

This Combined Statement of Charges, Settlement Agreement, and Final Order is approved by the Iowa Board of Pharmacy on the 4<sup>th</sup> day of January, ~~2016~~ 2017.



Chairperson  
Iowa Board of Pharmacy

Copy to:

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